

United States District Court District of Massachusetts

YALE IRWIN TURNER,
Plaintiff,

v.

CIVIL ACTION NO. 12-12265-DJC

JAMES TO FOLEY,
FOLEY LAW GROUP, LLC.,
Defendants.

REPORT AND RECOMMENDATION ON DEFENDANTS' MOTION TO DISMISS (#10)

COLLINGS, U.S.M.J.

Defendants' Motion to Dismiss (#10) was filed on January 11, 2013. Under Local Rule 7.1(B), any opposition to the motion was required to be filed and served within 14 days, i.e., on or before the close of business on ***January 25, 2013***.

No opposition was filed within that time period or to date. Accordingly, I RECOMMEND that Defendants' Motion to Dismiss (#10) be ALLOWED, that all other pending motions be terminated, and that Final Judgment dismissing

this case enter.

The parties are hereby advised that any party who objects to these recommendations must file a specific written objection thereto with the Clerk of this Court within 14 days of the party's receipt of this Report and Recommendation. The written objections must specifically identify the portion of the recommendations, or report to which objection is made and the basis for such objections. The parties are further advised that the United States Court of Appeals for this Circuit has repeatedly indicated that failure to comply with Rule 72(b), Fed. R. Civ. P., shall preclude further appellate review. *See Keating v. Secretary of Health and Human Services*, 848 F.2d 271 (1 Cir., 1988); *United States v. Emiliano Valencia-Copete*, 792 F.2d 4 (1 Cir., 1986); *Scott v. Schweiker*, 702 F.2d 13, 14 (1 Cir., 1983); *United States v. Vega*, 678 F.2d 376, 378-379 (1 Cir., 1982); *Park Motor Mart, Inc. v. Ford Motor Co.*, 616 F.2d 603 (1 Cir., 1980); *see also Thomas v. Arn*, 474 U.S. 140 (1985).

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

February 21, 2013.